

REMARKS/ARGUMENTS

Claims 14 through 16, 30, and 31 are pending in the application.

Applicant wishes to thank to Examiner Hand for her thoughtful discussion of the cited art during a telephone interview on November 4, 2009.

In accordance with that telephone interview, independent claim 14 has been amended in the present Amendment to further define that the **side panel bottom sheet** (i.e., the bottom sheet of a side panel, as opposed to the bottom sheet of a base panel) “provides structure for **fluid uptake through said side panel bottom sheet**.” Support for the amendment is found at: page 14, lines 30 – 33; page 20, line 30 (Example 4), page 21, lines 15 – 16 (Example 5); and Figs. 12a-12b.

Claim 16 was objected to under 37 C.F.R. §1.75(c)

Claim 16, which previously depended from claim 14, is now amended to be an independent claim incorporating the limitations from claim 14. In addition, claim 16 is further amended to define that the **base panel bottom sheet** (i.e., the bottom sheet of the base panel, rather than the bottom sheet of the side panel) “provides structure for **fluid uptake through said base panel bottom sheet**.” Claim 16 thus defines an additional claim limitation in relation to claim 14, and so overcomes the objection to claim 16 brought under 37 C.F.R. §1.75(c).

Applicant therefore respectfully requests reconsideration and withdrawal of the objection under §1.75(c) to claim 16.

Claims 14 through 16, 30, and 31 are rejected under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 5,093,176 to Pribonic, et al. (hereinafter, "Pribonic").

Claim 14 now recites, in relevant part, an absorbent pad having..."**one or more side panels cover at least a portion of a side of the container in which the absorbent pad is placed.**" Claim 14 also requires that the "**side panel bottom sheet provides structure for fluid uptake through said side panel bottom sheet.** [emphasis added].

Pribonic discloses an absorbent pad that is adapted for microwave cooking of greasy foods (such as bacon or sausage) (col. 1, lines 51 – 53, 59 – 60). **Backing sheet 11** (also called "**bottom sheet**") extends beneath "two grease-absorbing pads 10" which are spaced apart along their inner edges **to form a hinge strip 13**, so that the two pads can be "**closed upon each other like a book** with slices of bacon or pieces of sausage between the two closed pads." (col. 3, lines 55 – 58 and 61 – 64). **Backing sheet 11 serves as a "barrier and will not permit the passage of grease, oil, or water...In this way, this cooking device prevents any escape of grease or oil and eliminates the need to clean out the oven after cooking."** [emphasis added] (col. 4, lines 35 – 40; col. 2, lines 5 – 10; col. 6, lines 31 – 34; and Fig. 2). Backing sheet 11 even has edge flaps 12 that are folded up to make all edges leak-proof (col. 3, lines 64 – 68; and Figs. 1 and 3).

Pribonic fails to disclose the following limitations in independent claim 14. First, Pribonic fails to disclose a "side panel bottom sheet" that "provides structure for **fluid uptake through said side panel bottom sheet,**" as in claim 14. As noted above, Pribonic's backing sheet 11 (which corresponds to a bottom sheet) must be a **barrier** that is **impervious** to grease, oil, and water, to prevent the mess in the oven that would result from cooking bacon, sausage, or other

greasy foods (see above). In fact, as illustrated in Fig. 5, when Pribonic's absorbent pad is closed "like a book" to encase the bacon or other greasy food – with edge flaps that are designed to fold up to make all edges leak-proof, the entirety of Pribonic's outer surfaces are a liquid-impervious barrier. By contrast, claim 14 recites that the bottom sheet of the side panel "provides for fluid uptake through the bottom sheet" – i.e., is not a liquid-impervious barrier. In fact, if Pribonic's structure were to be modified to have a side panel bottom sheet that provides for fluid uptake through the bottom sheet, this would interfere with the proper operation of the pad in Pribonic. Therefore, for this first reason, Pribonic fails to disclose claim 14.

Second, Pribonic fails to disclose an absorbent pad having "one or more **side panels cover at least a portion of a side of the container in which the absorbent pad is placed,**" as in claim 14. Pribonic's absorbent pad, if placed in a microwave oven (corresponding to the "container") for its intended function, is folded over the food (see Fig. 5), and thus would *not* cover any "portion of a side," [of the container], as in claim 14. Therefore, for this second reason, Pribonic fails to disclose claim 14.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the §102(b) rejection over Pribonic to claim 14.

Claims 15, 30, and 31 depend from claim 14, and further define the side panel (claim 15) and the hinge between the base panel and each of said one or more side panels (claims 30 and 31). For at least the same reasons as provided above for claim 14, Pribonic fails to disclose or suggest claims 15, 30 and 31. Accordingly, Applicant requests reconsideration and withdrawal of the §102(b) rejections over Pribonic to dependent claims 15, 30 and 31.

Independent claim 16 recites, in relevant part, an absorbent pad having a base panel bottom sheet that "provides structure for **fluid uptake through said**

base panel bottom sheet." Claim 16 also recites that the "one or more **side panels cover at least a portion of a side of the container in which the absorbent pad is placed.**" [emphasis added].

Pribonic fails to disclose either of the above limitations in independent claim 16. As noted above, Pribonic discloses a pad having a backing sheet 11 (which corresponds to a bottom sheet) that serves as a **barrier** that is **impervious** to grease, oil, and water. This barrier prevents the greasy foods being cooked inside the absorbent pad from creating a mess in the microwave oven. Also, when Pribonic's absorbent pad is closed "like a book" to encase the bacon or other greasy food, with edge flaps folded up to make all edges leak-proof (Fig. 5), all of Pribonic's outer surfaces are liquid-impervious and serve as a barrier. By contrast, claim 16 recites a bottom sheet of the base panel that "provides structure for **fluid uptake through said base panel bottom sheet,**" which is neither liquid impervious, nor a barrier. Moreover, as discussed above, Pribonic also fails to disclose an absorbent pad having "one or more **side panels cover at least a portion of a side of the container in which the absorbent pad is placed,**" as in claim 16. If Pribonic's absorbent pad were to be placed in a microwave oven (i.e., the "container") for its intended function, it would be folded over the food (see Fig. 5), and would have no side panels that cover any "portion of a side," [of the container], as in claim 16. Thus, Pribonic fails to disclose claim 16.

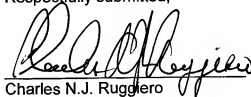
Therefore, for the above reasons, Applicant respectfully requests reconsideration and withdrawal of the §102(b) rejection to claim 16 over Pribonic.

Accordingly, for all of the above reasons, Applicant respectfully requests reconsideration and withdrawal of the §102(b) rejections over Pribonic to claims 14 through 16, 30, and 31, and issuance of a Notice of Allowance for the pending claims.

Applicant again thanks the Examiner for the telephone interview regarding this application. If for any reason the Examiner feels that further consultation with Applicant's attorney would help advance this prosecution of this application, the Examiner is invited to call the telephone number below.

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Date

Respectfully submitted,



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